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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/865,281

ARLINGTON, VA 22209

05/29/2001

Heinz Kohler

411.35629PC2

**CONFIRMATION NO. 5172** 

020457 ANTONELLI TERRY STOUT AND KRAUS SUITE 1800 1300 NORTH SEVENTEENTH STREET

**FORMALITIES LETTER** 

\*OC000000006299883\*

Date Mailed: 07/16/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.

  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of
  the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as
  indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a
  substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content
  of the sequence listing information recorded in computer readable form is identical to the written (on paper
  or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR
  1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

■ For Rules Interpretation, call (703) 308-4216

08/09/2001 BNGUYEN1 00000136 09865281



■ For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Section

411.35629PC2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): KOHLER, et al

Serial No.:

09/865,281

Filed:

May 29, 2001

For:

FUSION PROTEINS OF BIOLOGICALLY ACTIVE PEPTIDES

AND ANTIBODIES

Attention:

APPLICATION DIVISION

## REPLY TO OFFICE LETTER

Commissioner for Patents Washington, D.C. 20231

August 8, 2001

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated July 16, 2001, in connection with the above-identified application, attached hereto is an executed Declaration for Patent Application in compliance with 37 CFR 1.63. In addition, a payment in the amount of \$130.00 to cover the required surcharge for filing the declaration is also attached, in accordance with 37 CFR 1.16.

Please charge any shortages in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (411.35629PC2) and please credit any excess fees to such deposit account.

Respectfully submitted,

Ralph T. Webb

Registration No. 33, 047

ANTONELLI, TERRY, STOUT & KRAUS, LLP

RTW/gfa Attachment(s) (703) 312-6600